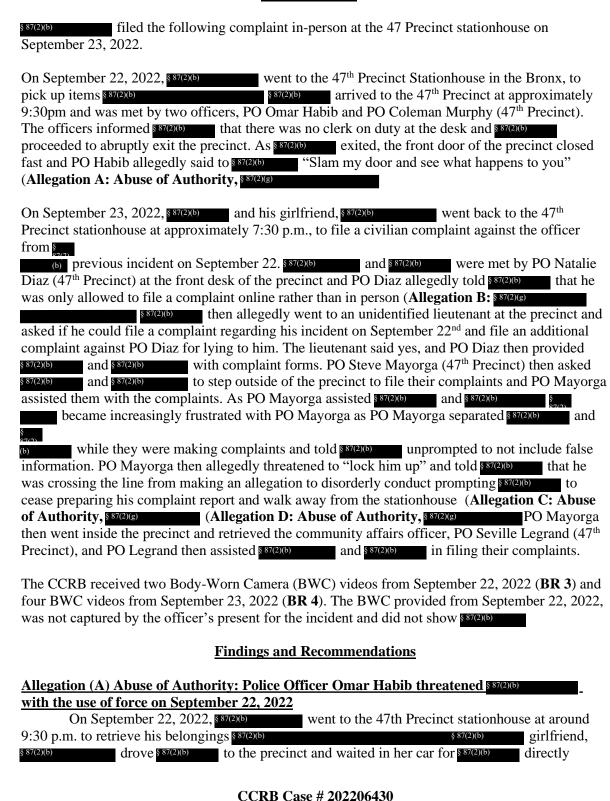
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:	ı	Геат:	CCRB Case #:		Force		Discourt.	U.S.
Tim Markbreiter	S	Squad #07	202206430	☑	Abuse		O.L.	☐ Injury
Incident Date(s)	I	Location of Incident:		T	18 N	Ao. SC	DL	Precinct:
Thursday, 09/22/2022 9:30 PM, Friday, 09/23/2022 7:30 PM		47th Precinct stationhouse (located at 4111 Laconia Avenue)			3/23/2024		47	
Date/Time CV Reported	(CV Reported At:	How CV Reported	1:	Date/Tim	e Rece	eived at CC	RB
Fri, 09/23/2022 9:15 PM		Precinct	In-person		Fri, 09/23/2022 9:15 PM			
Complainant/Victim	Туре	Home Addre	ess					
Witness(es)		Home Addre	ess					
Subject Officer(s)	Shield	TaxID	Command					
1. PO Natalie Diaz	13445	969652	047 PCT					
2. PO Steve Mayorga	20928	945241	047 PCT					
3. PO Omar Habib	00748	942899	047 PCT					
Witness Officer(s)	Shield No	Tax No	Cmd Name					
1. PO Coleman Murphy	06021	970728	047 PCT					
2. PO Seville Legrand	09305	957447	047 PCT					
Officer(s)	Allegation	ı			Inv	estiga	tor Recor	nmendation
A.PO Omar Habib		Abuse: Police Officer Omar Habib threatened with the use of force on September 22, 2022						
B.PO Natalie Diaz		Abuse: Police Officer Natalie Diaz did not process complaint regarding an officer on September 23, 2022						
C.PO Steve Mayorga	Abuse: Pol § 87(2)(6)	Abuse: Police Officer Steve Mayorga threatened to arrest on September 23, 2022			st			
D.PO Steve Mayorga	§ 87(2)(b)	Abuse: Police Officer Steve Mayorga did not process complaint regarding an officer on September 23, 2022						

Case Summary



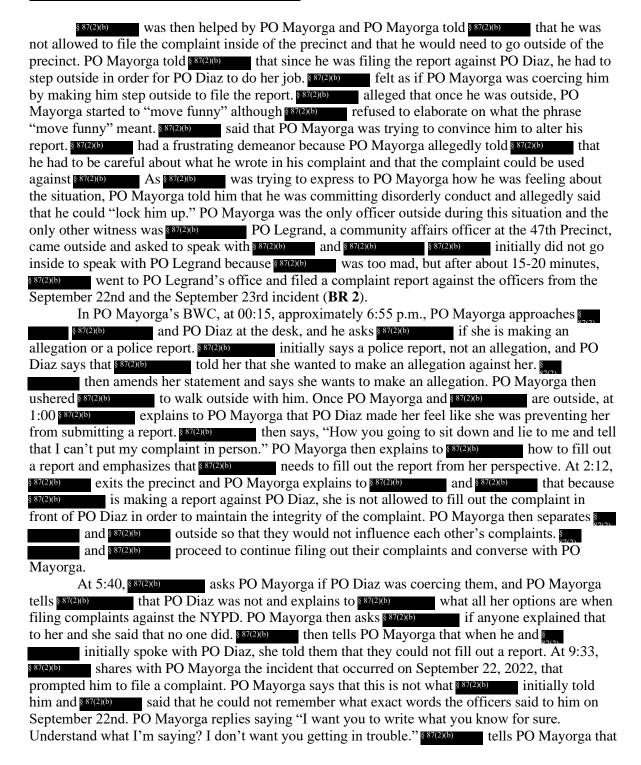
CCRB CTS – Confidential Page 1

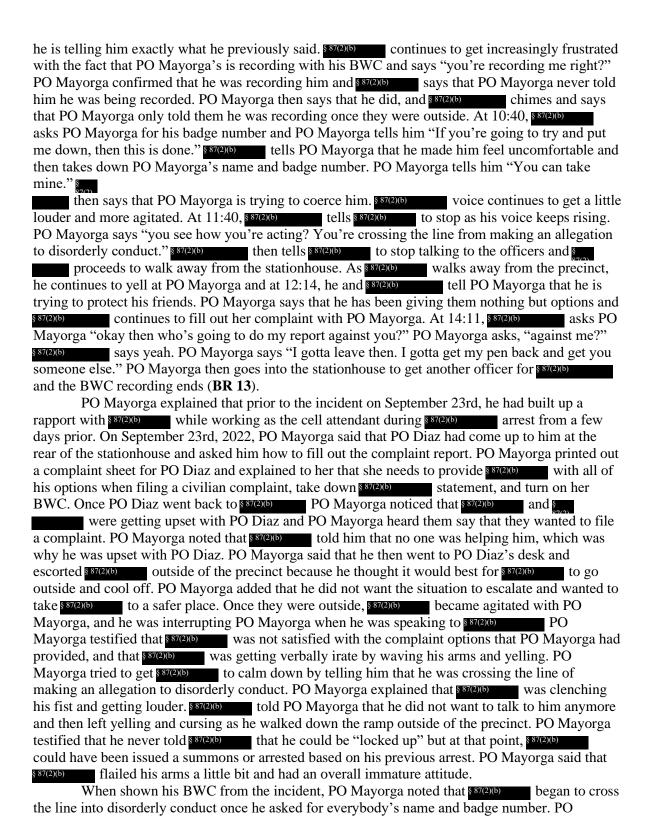
outside of the precinct. When \$87(2)(b) entered the precinct, he was not greeted by an officer at
the front desk as there was no clerk at the desk. § 87(2)(b) was instead met by two officers, PO
Omar Habib and PO Coleman Murphy, and both officers told him that there was not a clerk present
at the moment. § 87(2)(6) assumed that both of the officers present were about to leave for patrol,
and he was a little annoyed that no one could assist him. §87(2)(6) exited the precinct fast and
pushed the front entrance door. §87(2)(b) alleged that the door naturally slammed back on its own
and he came to this conclusion because when he went to the precinct the following day to retrieve
his belongings, he heard the door slam back on its own. Once the door slammed back, PO Habib
and PO Murphy allegedly followed \$87(2)(b) alleged that the officer who was clean
shaven and short, which matches PO Habib's pedigree, said to him "slam my door and see what
happens to you." § 87(2)(b) walked away from the officers because he feared if he said something
back to them, the officers would have done something to him. §87(2)(6) proceeded to make his
way back to his girlfriend's car and the officers did not say anything else to him (BR 2).
In front desk stationhouse footage provided by the 47th Precinct, at timestamp 7:25,
appears to walk into the precinct at approximately 9:07 p.m. \$87(2)(6) went directly to the
front desk of the precinct and pulls out a piece of paper from his pocket. Approximately seven
seconds later, \$87(2)(6) leaves the desk and exchanges a few words with PO Habib and PO
Murphy. At 7:54, \$87(2)(6) promptly exits the precinct, pushes the door, and the door appears to
swing hard. PO Habib and PO Murphy then exit the precinct right after \$87(2)(b) (BR 5). At 7:55
of the Roof Front Entrance footage, \$87(2)(b) walks out of the precinct and walks to a car that is
parked outside of the precinct. At 8:00, PO Habib and PO Murphy exit the precinct as \$87(2)(6)
makes his way to the car. S87(2)(b) appears to turn around and look at the officers, but it is unclear
whether he said something to them as he is wearing a face mask. PO Murphy proceeds to walk
away from the precinct and PO Habib stands by the front door. It does not appear that PO Murphy
says anything to \$87(2)(b) although because of the lighting by the front door entrance of the
precinct, it is unclear whether PO Habib spoke to since PO Habib's face is not clear (BR
6).
PO Habib explained that on September 22, 2022, he was working a 311 Auto. PO Habib
went to the stationhouse to hand in a summons and he testified that while he was handing in the
summons, he heard the front door of the precinct shut loudly. PO Habib did not recall interacting
with \$87(2)(b) while \$87(2)(b) was in the precinct and PO Habib did not say anything to \$7(2)(b)
when he left the precinct. PO Habib added that he did not associate the door closing loudly
with any specific individual. PO Habib said that he did not recall if he or PO Murphy said
something to the effect of "slam my door and see what happens to you." (BR 7) PO Murphy
testified that he was working Sector D1 on September 22, 2022, and that he was probably in the
precinct at this time to pick up paperwork or take a bathroom break. PO Murphy did not have any
recollection of having a conversation with \$87(2)(6) and he did not recognize \$87(2)(6) when
shown stationhouse footage (BR 8).
Upon review of stationhouse footage, \$87(2)(5) was in the 47th Precinct stationhouse for
no longer than 30 seconds before promptly exiting the precinct. While the front door of the
stationhouse did appear to be pushed hard, it did not appear as if \$87(2)(6) had intent on slamming
the door. Both PO Habib and PO Murphy had little to no recollection of this incident and footage
from the stationhouse does not capture any audio of the brief conversation that the officers had with
Once PO Habib left the stationhouse, he stood right outside the front entrance of the
precinct which was heavily shaded. With that, it is unclear if PO Habib said something to

walked to his girlfriend's car, § 87(2)(g)

Allegation (C) Abuse of Authority: Police Officer Steve Mayorga threatened to arrest on September 23, 2022

Allegation (D) Police Officer Steve Mayorga did not process complaint regarding an officer on September 23, 2022





Mayorga added that \$87000	began to clench his fist, get louder, and	l was talking down to
everyone. PO Mayorga did not	cite any penal code, nor did he elaborat	e on how § 87(2)(b)
previous arrest could have led	to him being issued a summons or arrest	ed in relation to this
interaction (BR 14). PO Mayor	ga continued to converse with success	and she told PO
	e a complaint against him as well. PO M	
that he would have to stop this	interview and then he went into the prec	cinct and retrieved a
community affairs officer, PO	Legrand. In reference to the comment at	pout not wanting to get
in trouble, PO Mayorga	testified that as a police officer, he is no	t allowed to perjure himself
and that he did not want § 87(2)(b)	to perjure himself for filing a false	report because it is a
misdemeanor offense $(B\overline{R} 14)$.		

As per NYPD Patrol Guide Procedure 207-28, Complaints against uniformed members of the service may be made at any patrol precinct, police service area, transit district, traffic unit, Internal Affairs Bureau, or any other office of the Department, including the Office of the Police Commissioner or office of a deputy commissioner. Members of Service receiving complaints must interview complainant, give complainant first copy of Civilian Complaint Report to be prepared in complainant's own handwriting (BR 12).

According to NYPD Patrol Guide procedure 200-02 entitled Mission, Vision, and Values of the New York City Police Department, Members of Service must maintain a higher standard of integrity than is generally expected of others. Members of Service must value human life, respect the dignity of each individual, and render their services with courtesy and civility (**BR 15**).

Additionally, New York State Penal Code 240.20 entitled Disorderly Conduct, states that a person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating thereof (**BR 16**).

and sacro initially waited in the stationhouse for about 47 minutes prior
to even receiving a complaint form to fill out. After this, PO Mayorga told \$87000 that he had to
file his complaint outside of the precinct and then while outside, warned serons not to provide a
false statement. Although PO Mayorga provided \$87(2)(6) with forms required to file a complaint,
his actions toward \$87(2)(6) while \$87(2)(6) was preparing the complaint form did not reflect
courteousness and respect mandated in the Patrol Guide. Additionally, telling \$87(2)(6) that his
actions were bordering on disorderly conduct when was expressing frustration, but not
creating a public inconvenience or annoyance or alarm, \$87(2)(2)
served to intimidate \$87(2)(0) who then walked away and stopped
preparing his complaint report. \$87000

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which \$87(2)(b) has been a party (BR 17)
- PO Natalie Diaz has been a member-of-service for two years and this is the first CCRB complaint to which she has been a subject (BR 18). [887(2)]
- PO Steve Mayorga has been a member of service for 15 years and has been a subject in one CCRB complaint and four allegations, none of which were substantiated.

Mediation, Civil, and Criminal Histories

A Notice of Claim request was submitted to the New York City Office of the Comptroller

declined to mediate this complaint.

	oruary 8, 2023 (BR 20) [§§ 86(1)(3)&(4)] [§ 87(2)(6)]		
Squad:	7		
Investigator:	Tim Markbreiter Signature	Inv. Tim Markbreiter Print Title & Name	2/13/2023 Date
Squad Leader:		Manager Vanessa Rosen	June 2, 2023
	Signature	Print Title & Name	Date
Reviewer:	Signature	Print Title & Name	Date